

**STATE OF LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
CORRECTIONS SERVICES**

**Policy
No. B.2.9**

15 September 2003

**CLASSIFICATION, SENTENCING, AND SERVICE FUNCTIONS
Classification
Youth Placement Review Process**

1. **AUTHORITY:** Secretary of the Department of Public Safety and Corrections as contained in Chapter 9 of Title 36 and La. R.S.15:902.3.
2. **REFERENCES:** Act 1225 of the 2003 Regular Session.
3. **PURPOSE:** To establish the Secretary's policy regarding periodic placement reviews of all youth in the custody of the Department in order to determine whether the youth is placed in a setting most appropriate to their needs consistent with the interests of public safety.
4. **APPLICABILITY:** Assistant Secretary of the Office of Youth Development, Wardens of juvenile facilities, Probation and Parole Director/Juvenile, and Probation and Parole District Managers.
5. **DEFINITIONS:**
 1. Adjudication - after the presentation of evidence, or the entering of a plea, the entering of a judgment by the Court which indicates whether the facts as alleged in the petition forming the basis of the action have been proven, i.e. whether the family is in need of services or the child committed the delinquent act.
 2. Aftercare - the control, supervision and care exercised over a youth upon exit from a secure facility or non-secure residential program into the community.
 3. Louisiana Children's Code Article 897.1 - requires that juveniles who are adjudicated delinquent for any of six most serious violent crimes (first degree murder, second degree murder, aggravated rape, aggravated kidnapping, armed robbery, and treason) must remain in a secure environment until the disposition ends. Except for armed robbery, dispositions rendered under provisions of this Article must extend until the 21st birthday.
 4. Fourteen Legal Days - fourteen calendar days except when the 14th day ends on a weekend or legal holiday. When this occurs, the period extends to the close-of-business on the next day that is not a weekend or legal holiday. The 14-day timeframe begins the day after the filing of a legal document with the Court.

5. Non-Secure Non-Residential Program - provides rehabilitative services to a youth who resides at home. The youth may receive the services in his home or at a central location to which he reports daily. Youth served may be in custody or on probation or parole.
 6. Non-Secure Residential Program - provides housing, supervision and rehabilitative care for youth in the custody of the Department primarily between the ages of 12-17. These facilities are usually characterized by a lack of physical security such as perimeter fences, security locks and controlled access to the facility.
 7. Secure Care - facilities for adjudicated delinquents providing treatment and education characterized by facility design including such things as perimeter fences, security locks, supervision, and staff control that restricts on a 24-hour basis the ability of residents to enter or leave the premises.
 8. YouthCARE - system wide positive behavior management program based upon principals of adolescent growth and development.
6. **POLICY:** Notwithstanding the provisions of any other regulation to the contrary, it is the Secretary's policy, in accordance with La. R.S. 15:902.3, to authorize a periodic placement review process whereby all youth in the Department's custody are screened in a multi-disciplinary placement review process. Following an initial review of all custody cases, the review for secure care shall occur no less than quarterly and in conjunction with custody reclassifications. For non-secure programs, the review shall occur in conjunction with semi-annual placement reviews or upon successful completion of the placement program. The review will determine whether the youth is placed in the setting most appropriate to their needs consistent with public safety interests, based upon a formal criteria established through Department policy.
7. **PLACEMENT REVIEW PROCESS OF NON-SECURE CARE YOUTH:**
- A. Youth in non-secure residential programs will be reviewed to determine the appropriateness of transition to a less restrictive setting. Screening criteria to be used in identifying youth to be reviewed are as follows:
 - 1) In a residential program five months or more; or
 - 2) FINS adjudication regardless of length of time in a residential program.
 - B. A review team in each Probation and Parole District Office will review cases which meet the above criteria. The review team will consist of, but not be limited to, the following individuals:
 - 1) District Manager;
 - 2) Residential facility representative;
 - 3) Placement officer from district of origin;
 - 4) Treatment provider as necessary;

- 5) Unbiased individual;
- 6) Youth; and
- 7) Youth's parent/guardian.

C. The review will consist of discussion and evaluation of the youth's progress and needs in the areas of:

- 1) Educational/vocational needs/progress;
- 2) Medical concerns;
- 3) Mental health concerns;
- 4) General treatment needs/progress in the areas of substance abuse, anger management, cognitive behavior, etc.;
- 5) Behavioral concerns;
- 6) Home environment;
- 7) Review of community risk assessment;
- 8) Aftercare plans;
- 9) Special needs concerns (i.e. SMI, low cognitive abilities, special education disabilities, psychotropic medication needs);
- 10) Availability of services to address needs, especially special needs youth;
- 11) Most recent case staffing findings; and
- 12) Availability of services in the community.

D. A determination of the appropriate course of action regarding the youth's placement will be made by the participants. Once a determination is reached, the plan will be developed. Following the review, if the recommendation is to transition the youth into a less restrictive setting, the DYS District Office will submit a Motion to Modify Disposition to the appropriate attorney for review and signing. The motion will then be returned to the DYS for filing with the Clerk of Court and submission to the court. The motion shall include the following:

- 1) Recommendation;
- 2) Relevant documentation supporting the recommendation, including, but not limited to, the risk and needs assessments; and
- 3) Aftercare plan.

E. The court will have fourteen legal days to do one of the following:

- 1) Make no response during the fourteen day period, in which case the District Office shall proceed with the recommendation;
- 2) Reject the recommendation and deny the motion;
- 4) Notify the Department in writing that there is no objection and accept the motion as orders of the court; or
- 5) Schedule a future hearing and issue an order rejecting, modifying, or accepting the recommendation after the hearing.

- F. All motions will be delivered to the Clerk of Court and a copy of the stamped motion will be obtained for Probation and Parole records. At the same time that the motion is submitted to the court, the appropriate Sheriff's Office and any registered Crime Victim, if applicable, shall also be notified.
- G. Each Probation and Parole District Office will maintain a document listing all youth who met the criteria for review for transition to a less restrictive setting. This document will include the results of the review and the rationale for the recommendation.

8. PLACEMENT REVIEW PROCESS OF SECURE CARE YOUTH:

- A. Youth currently in secure care will be reviewed to determine the appropriateness of a transfer to a less restrictive setting. The placement criteria process will be conducted at each facility through a multi-disciplinary team activity that will take into consideration multiple aspects of the youth's classification profile to determine if the youth is placed in the most appropriate setting.
- B. The team will be composed of the following individuals:
 - 6) Deputy Warden, Chairperson;
 - 7) Education;
 - 8) Dorm security;
 - 9) Program manager;
 - 10) Youth's case manager;
 - 11) LSUHSC staff (if needed);
 - 12) Treatment provider (if needed);
 - 8) DYS representative (via phone conference);
 - 9) Youth;
 - 10) Youth's parent/guardian(s) (in person, via phone conference, and/or prior interview).
- C. The multi-disciplinary review process will include a thorough review and assessment of the youth's needs, strengths and weaknesses. At a minimum, the multi-disciplinary team will consider the following prior to recommending placement:
 - 1) Educational/vocational needs/progress;
 - 2) Medical concerns;
 - 3) Mental health concerns;
 - 4) General treatment needs/progress in the areas of substance abuse, anger management, cognitive behavior, etc.;
 - 5) Behavioral concerns;
 - 6) Level of participation in YouthCARE;
 - 7) Home environment;
 - 8) Custody level (both prior and present);
 - 9) Review of community risk assessment;
 - 10) Proposed aftercare/release plans;

- 1) Special needs concerns (i.e. SMI, low cognitive abilities, special education disabilities, psychotropic medication needs);
- 11) Availability of services to address needs, especially special needs youth; and
- 12) Most recent secure custody screening document (must have been done within the last year).

D. A schedule of the multi-disciplinary review activities will be issued by the Deputy Warden and disseminated to all department heads and team members. In an effort to better promote parental/guardian input, the case manager will make telephone contact and/or formal written correspondence with the youth's parent/guardian about the scheduled date and approximate time of the multi-disciplinary activity.

If any member of the multi-disciplinary team is not represented at the staffing, written comments or reports shall be used in the staffing to ensure education, medical, mental health, recreation and security activities are considered.

E. A determination of the appropriate course of action regarding the youth's placement will be made by the participants. Once a determination is reached, the plan will be developed. Following the review, if the recommendation is to transition the youth into a less restrictive setting, the DYS District Office will submit a Motion to Modify Disposition to the appropriate attorney for review and signing. The motion will then be returned to the DYS Office for filing with the Clerk of Court and submission to the court. The motion shall include the following:

- 1) Recommendation;
- 2) Relevant documentation supporting the recommendation, including, but not limited to, the risk and needs assessments; and
- 3) Aftercare plan.

F. The court will have fourteen legal days to do one of the following:

- 1) Make no response during the fourteen day period, in which case the District Office shall proceed with the recommendation;
- 2) Reject the recommendation and deny the motion;
- 3) Notify the Department in writing that there is no objection and accept the motion as orders of the court; or
- 4) Schedule a future hearing and issue an order rejecting, modifying, or accepting the recommendation after the hearing.

G. All motions will be delivered to the Clerk of Court and a copy of the stamped motion will be obtained for Probation and Parole records. At the same time that the motion is submitted to the court, the appropriate Sheriff's Office and any registered Crime Victim, if applicable, shall also be notified.

- H. Each Probation and Parole District Office will maintain a document listing all youth who met the criteria for review for transition to a less restrictive setting. This document will include results of the review and the rationale for the recommendation.

9. QUALITY ASSURANCE:

A copy of all screening forms, as well as multi-disciplinary team review forms, are to be maintained for a period of three years as a component of system quality assurance.

10. PROCEDURES:

Refer to Attachment A for Risk Screening Document and Attachment B for Secure Screening/Data Collection Form.



Richard L. Stalder
Secretary

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Attachment A - Risk Screening Document
Attachment B - Secure Screening/Data Collection Form